

# GIBSON DUNN

Gibson, Dunn & Crutcher LLP

200 Park Avenue  
New York, NY 10166-0193  
Tel 212.351.4000  
www.gibsondunn.com

Reed Brodsky  
Direct: +1 212.351.5334  
Fax: +1 212.351.6235  
RBrodsky@gibsondunn.com

January 7, 2017

The Honorable Kiyo Matsumoto  
United States District Court Judge  
United States District Court for the Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: United States v. Martin Shkreli & Evan Greebel, Cr. No. 15-1637 (S-1) (KAM)

Dear Judge Matsumoto:

We respectfully write to inform the Court about the results of the January 4, 2017 meet and confer relating to the severance and substantive, non-*in limine* motions schedules. Specifically, all of the parties have agreed on proposed dates in connection with any severance motions and proposed dates in connection with any substantive, non-*in limine* motions. During the meet and confer, the government also proposed postponing the required disclosures of March 9, 2017 (including the exhibit list, the witness list, voire dire requests, requests to charge, and any stipulations of fact) to April 21, 2017. The defendants do not object to this postponement of the disclosures deadline.

First, all parties agree on the following proposed schedule for severance:

2/17: Deadline for submission of any motion for severance.

3/1: Deadline for any government opposition to any motion for severance.

3/7: Deadline for any reply by any defendant to the government's opposition.

3/21 at 2 pm or 3/22 at 2 pm: Oral argument on any motion for severance.

Second, all parties agree on the following proposed schedule for all substantive, non-*in limine* motions:

3/17: Deadline for submission of any other substantive non-*in limine* motions.

3/31: Deadline for any government opposition to any non-*in limine* motions.

4/07: Deadline for any reply by any defendant to the government's opposition.

## GIBSON DUNN

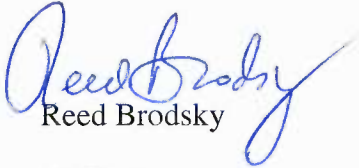
January 7, 2017

Page 2

We respectfully propose that oral argument should be determined at a later date if sought by the moving party.

Finally, the defendants do not object to the government's proposal to postpone the required disclosures due on March 9 to April 21. Should the Court grant the government's request, the defendants respectfully ask the Court to make this the final postponement because there is not an extensive amount of time between April 21, 2017 and the trial date of June 26, 2017 to address any issues and/or motions arising out of the disclosures.

Yours truly,



Reed Brodsky

RMB/dh